



County of Lexington

Board of Zoning Appeals

PUBLIC HEARING

BZA Opening Remarks

We would like to welcome all of you to this meeting of the Lexington County Board of Zoning Appeals. Before we begin this meeting, I want to inform everyone we are being broadcast live on the Lexington County website and Spectrum Channel 1302. Our meetings are available for viewing any time on the County website.

A sign-in sheet has been provided by staff. Be sure that you have signed in by giving your name and address as a matter of public record.

This Board is what is known as a quasi judicial body which means that these hearings are held in the same general manner as a court of law.

Therefore, those in attendance must refrain from disruptive behavior, such as clapping; anyone who disrupts the proceedings will be asked to leave. There shall be no standing head counts of proponents or opponents and no show of hands will be allowed to indicate approval or disapproval of the request.

The purpose of this public hearing is to obtain facts and comments from proponents and opponents regarding subject matter specific and pertinent to the request. Since the meeting is being recorded for the purpose of Minutes, each speaker is to come to the microphone at the podium and provide his or her name and mailing address, including street, city, state, and zip code. Each speaker is encouraged to keep their comments concise and to the point and is limited to 3 minutes.

After everyone who wishes to speak has been heard, the opportunity for additional comments or rebuttal will be considered as time may allow.

We will dispense with the approval of the Minutes and other business until after the requests have been heard. At this time, staff will present our request of the evening.

Zoning Variance #12-22

- Applicant: Albert Bueno
- Property Owner: Timberlake Country Club, Inc.
- Location: Five (5) proposed parcels/lots along Wateroak Trail
- TMS# 001525-01-002
- Northern Lexington County Planning area 1987-Location is part of the Lake Murray Overlay District.
- Council District 6 represented by “Charli” Wessinger

*The total lot acreage for these 5 lots is 1.47 acres. The minimum acreage to have 5 lots subdivided to meet the 2 dwelling units per exact acre is 2.5 acres. The proposed units per exact acre is approximately 2.94 units per exact acre.





LM

RD



ARTICLE 13 – LAKE MURRAY RESIDENTIAL DISTRICT

Chapter 1. General Provisions

131.00 Purpose

The Lake Murray area of Lexington County is commonly referred to the “Jewel of the Midlands” and has attracted significant growth within the surrounding areas of the lake. The purpose of this Article is to ensure proper, sustainable, and functional growth, specifically to address the various concerns regarding increased residential growth encroaching upon the shores of Lake Murray and the stress the growth has placed on maintaining the rural characteristics and natural beauty of the lake area. In order to help maintain the aesthetics of Lake Murray, as well and protect the natural resources and environment surrounding the lake, higher density residential developments are discouraged within the overlay zone created through this Article. Such controls administered within the overlay zone serve to reduce the density for new residential land uses, administer more stringent means for calculating allowed residential density, promote open space preservation, and reduced land clearing.

131.10 Application of the Lake Murray Residential District Overlay Zone

Residential development controls that are associated with the overlay zone created by this Article shall only apply to the unincorporated areas of the County that have been included within a specifically designated Lake Murray Residential District overlay zone. A map shall be published as a part of this Article to reflect the designated overlay zones and it may be revised following the same procedures contained in this Ordinance for zoning text and map amendments. In the event there is a conflict with provisions of the Lake Murray Residential District overlay zone with underlying zoning districts and/or street classifications, the more restrictive provisions shall apply.



132.20 Scope of Regulations

The density regulations set forth in the Article apply only to new residential detached, residential attached - duplex, residential attached – townhouse, and mobile home land use activities proposed following the enactment of these regulations. Residential Detached (Limited) land uses shall follow the development guidelines and regulations as covered within Article 12 of this Ordinance.

132.21 Calculation of Maximum Residential Density

Density is to be measured as the total area of land within the property boundaries, including those which are permanently under water or subject to inundation, or which are contained in an easement, proposed roads, area dedicated for stormwater management, open space, amenity areas, or other similar grant of use. However, density calculations shall not include rights-of-way for existing road (reference Section 22.30 of this Ordinance).

132.22 Maximum Permitted Residential Density

The maximum allowed density limits for residential detached, residential attached - duplex, residential attached – townhouse, and mobile home land use activities shall be in accordance with the following street classifications. In the event an underlying zoning district or street classification has a lesser residential density allowance, the more restrictive shall apply.

<u>STREET CLASSIFICATION</u>	<u>DENSITY (dwelling units per exact acre)</u>
Arterial (A)	4
Collector (C)	3
Local (L)	2
Residential Local Six (RL6)	2
Residential Local Five (RL5)	2
Residential Local Four (RL4)	2
Residential Local Two (RL2)	1
Residential Local One (RL1)	1
Boulevard (B)	4





The only golf course on Lake Murray — *Come play at the lake!*

June 20, 2022

Lexington County Board of Zoning Appeals

Dear Board of Zoning Appeals,

I write this letter to appeal to the board to grant our appeal on lots Timberlake Country Club is selling which are attached to the golf course but part of the HOA's in Timberlake.

STANDARDS FOR VARIANCES

The Board may grant a variance if it makes the following finding (all inclusive):

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property; **The land was purchased in 1987 when the course was built. All homes on the golf course on all 18 holes are of equal size.**
- b. These conditions do not generally apply to other property in the vicinity; **All the lots borders residential lots that are almost identical in size.**



c. Because of these conditions, the application of the ordinance to the piece of property would effectively prohibit or unreasonably restrict the utilization of the property; **The new regulations of one home per half acre would make the lots unsalable since all the surrounding lots are under the old regulations of four homes per acre.**

d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. **The lots would be nearly identical in size to all the other developed lots on the golf course.**

We believe these lots will have zero negative impact for the neighborhood and adjoining homes. We are asking that these lots be grandfathered in and approved.

Thank you for your time and consideration.

Please let me know if any further information is required.

Regards,

Albert S. Bueno
President
Timberlake Country Club





2021 Aerial Photo with proposed lot locations

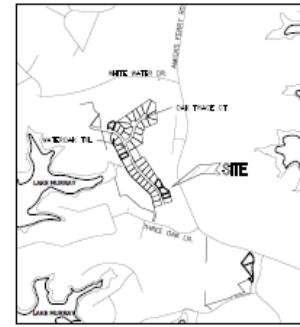
LEGEND:

- IF IRON PIN FOUND
- TFC TELEPHONE PEDESTAL
- C CABLE BOX
- SL SPEED LIMIT SIGN
- △ CALCULATED POINT

LOTLINE CURVE DATA

LINE	ARC	CHORD	BEARING	PI	PC	PT	CHORD	ANGLE
01	105.56	141' 32" 22"	471.12	13' 31' 01"	105.44	53.07		
02	181.30	157' 47" 47"	471.12	14' 48' 24"	170.52	40.01		
03	30.37	118' 32" 42"	482.16	2' 38' 32"	30.32	70.17		

HOLE 52
FAIRWAY



LOCATION MAP
LEXINGTON COUNTY, S.C.
1" = 1000'

N/T
TIMBERLAKE COUNTRY CLUB, INC.
TNS# 001525-01-002
PB 2255-4

**PHASE 1A
FAIRWAY OAKS SUBDIVISION
LEXINGTON COUNTY, SOUTH CAROLINA**



NOTES AND REFERENCES:

1. PHASE 1A: 2.05 AC. 3 SINGLE FAMILY RESIDENTIAL LOTS WITH 5.09 AC. OPEN SPACE.
2. LEXINGTON COUNTY TAX MAP NUMBER: 00525-01-002. PROPERTY OWNER IS TIMBERLAKE COUNTRY CLUB, INC.
3. PLAT OF TIMBERLAKE PLANTATION GOLF COURSE OF 159.19 ACRES BEING COURSE HOLES 1-18 & MAGNIA SITE SHOWN ON PLATS BY U.L. GROUP, INC. DATED OCTOBER 8, 1994, REVISION & DATED APRIL 1, 1992 AND RECORDED AT THE LEXINGTON COUNTY REGISTER OF DEEDS OFFICE IN PLAT BOOK 253 PAGES 143-147.
4. PLAT OF FAIRWAY OAKS SUBDIVISION OF 34.97 ACRES BEING NEW SINGLE FAMILY LOTS SHOWN ON PLAT BY U.L. GROUP, INC. DATED OCTOBER 1, 1997, REVISION 1 DATED OCTOBER 3, 1997 AND RECORDED AT THE LEXINGTON COUNTY REGISTER OF DEEDS OFFICE IN PLAT BOOK 223 PAGE 5.
5. I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEMA FLOOD INSURANCE RATE MAP NUMBER 85043-0002 EFFECTIVE DATE JULY 4, 2003 AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SUBJECT PROPERTY IS LOCATED IN UNDESIGNATED ZONE "X", NOT A DESIGNATED FLOOD ZONE.
6. ZONING: RESTRICTIVE DEVELOPMENT (RD)
7. BUILDING SETBACKS:
FRONT - 35'
SIDES - 10'
REAR - 20'
8. NO WETLANDS DELINEATION PROVIDED.
9. ALL PROPERTY CORNERS ARE NEW #5 REBAR UNLESS SHOWN OTHERWISE.
10. THE INFORMATION SHOWN ON THIS SHEET WAS DERIVED FROM A FIELD SURVEY. OBVIOUS AND APPARENT FEATURES ENCOUNTERED ARE INCLUDED ON THIS SHEET. RELATED, REFERENCED INFORMATION WAS ALSO USED, UNLESS STATED HEREON. NO TITLE SEARCH WAS PERFORMED BY CIVIL ENGINEERING OF COLUMBIA, AND SOME EASEMENTS OR OTHER MATTERS OF RECORD MAY NOT APPEAR. THIS SHEET WAS PREPARED FOR A SPECIFIC CLIENT TO BE USED FOR A SPECIFIC PURPOSE. USE BY ANY OTHER PARTY, WITHOUT WRITTEN CONSENT, IS UNAUTHORIZED.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY INFORMATION HAS BEEN MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND THAT I HAVE EITHER THE NECESSARY OR A CLASS "C" SURVEY AS SPECIFIED THEREIN.

SCALE 1" = 20'	DATE JUN 2020	DRAWN BY P. FLOWERS	DESIGNED BY N/A	DRAWING NUMBER 1 OF 1	CHECKED BY J. W. HARRIS	JOB NUMBER 21291	SUBDIVISION PLAT	HAYMARK TIMBERLAKE COUNTRY CLUB DUNCAN, SOUTH CAROLINA
CIVIL ENGINEERING of COLUMBIA 3700A FARMINGTON ROAD, COLUMBIA, SC 29210 TEL: (803) 799-2800 FAX: (803) 799-2826								



ZONING HEARING

LEXINGTON COUNTY
ADMINISTRATION BUILDING
6:00 P.M.
TUESDAY - AUGUST 16
FOR INFORMATION CALL 785-8121

ZONING VARIANCE REQUEST #12-22: Applicant requests to create 5 new lots (parcels) that will exceed the limits of residential density in the Lake Murray Residential District. These lots are proposed along Waterloo Trail identified by TMS# 001525-01-002.



Citizens will have the opportunity to attend the meeting in person with comments and/or in private, without public comment. Comments should be submitted by electronic mail to the County at 212 South Lake Drive, Suite 301, Lexington, SC 29024. All comments should be submitted by 5:00 pm on August 15, 2012. All public comments emailed or mailed in must be written and dated the Public Hearing and included in the minutes of the Board of Zoning Appeals meeting. The Public Hearing will be documented on the County's website by visiting the Meeting Portal. The public hearing is also available on YouTube Channel 1002.

If special accommodations are needed to participate in this public meeting, please contact the Lexington County Community Development Department at (803) 785-8121 or communitydevelopment@lexcountysc.gov at least two business days prior to the scheduled meeting date.





Site photograph



Community Development



Site photograph



Site photograph



Site photograph



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Site photograph



Site photograph

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Citizens will have the opportunity to attend the meeting in person with comments and/or to provide written public comments electronically by emailing to planning@lexcountysc.gov or email to 211 South Lake Drive, Suite 401, Lexington SC 29003. All comments should be submitted by 5:00 pm on August 16, 2022. All public comments emailed or mailed in may be read aloud during the Public Hearing and included in the minutes of the Board of Zoning Appeals meeting. The Public Hearing will be livestreamed on the County's website by visiting the Meeting Portal. The public hearing is also available on Spectrum Cable Channel 1302.

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Site photograph



Site photograph



Community Development



Site photograph

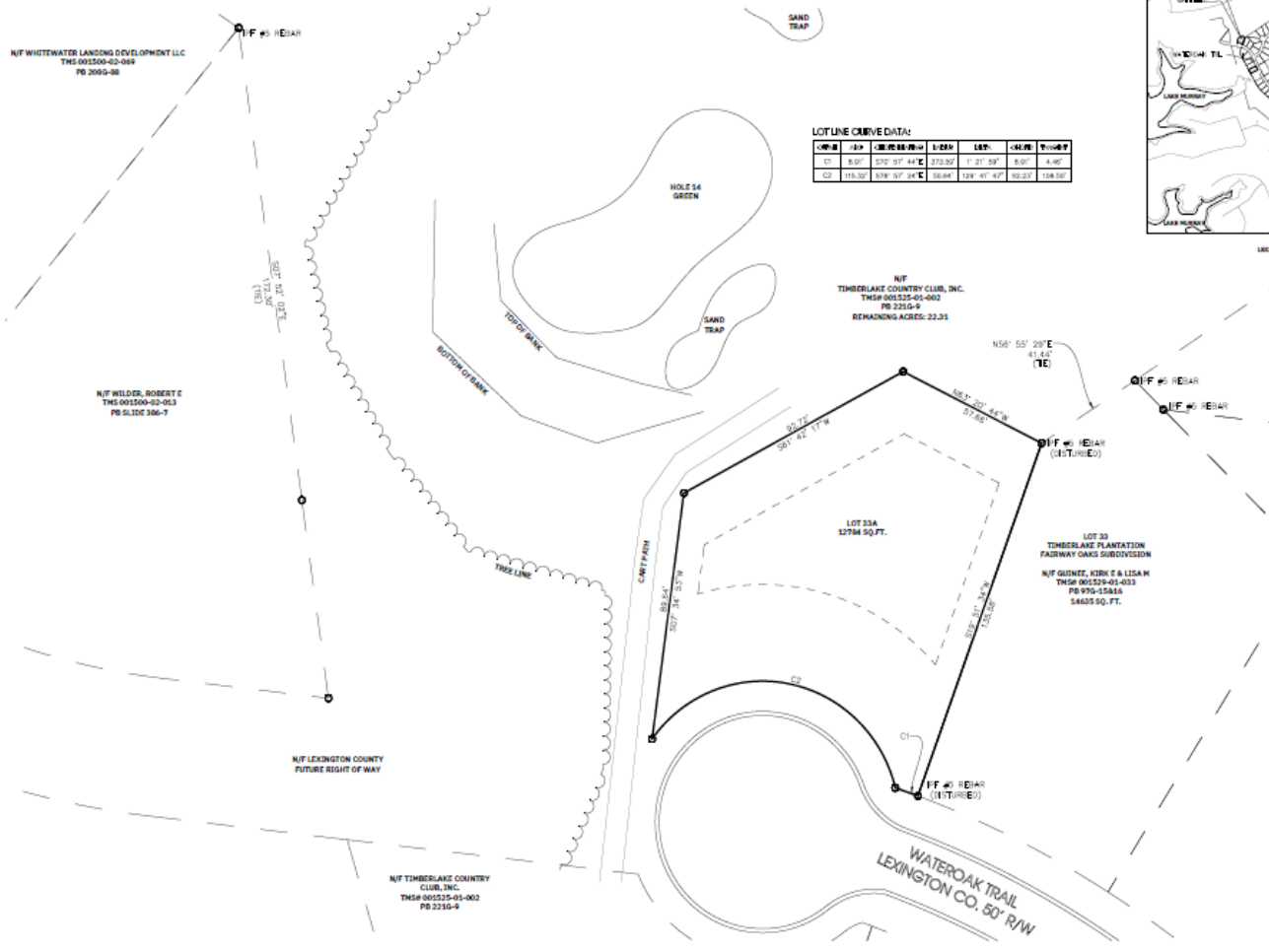
LEGEND:
 ● IRON PIN FOUND

N/F WHITEWATER LANDING DEVELOPMENT LLC
 TMS 001500-02-069
 PB 2000-96

- NOTES AND REFERENCES:**
1. PHASE 1C: 0.56 AC, 1 SINGLE FAMILY RESIDENTIAL LOT WITH 0.24 AC. OPEN SPACE.
 2. LEXINGTON COUNTY TAX MAP NUMBER: 001525-05-002, PROPERTY OWNER IS: TIMBERLAKE COUNTRY CLUB, INC.
 3. PLAT OF TIMBERLAKE PLANTATION GOLF COURSE OF 159.19 ACRES BEING COURSE HOLES 1-18 & MAGNOLIA SITE SHOWN ON PLATS BY U.S. GROUP, INC. DATED OCTOBER 8, 1995, REVISION A DATED APRIL 1, 1992 AND RECORDED AT THE LEXINGTON COUNTY REGISTER OF DEEDS OFFICE IN PLAT BOOK 201 PAGES 141-147.
 4. PLAT OF FAIRWAY OAKS SUBDIVISION OF 24.97 ACRES BEING 20 NEW SINGLE FAMILY LOTS SHOWN ON PLAT BY U.S. GROUP, INC. DATED OCTOBER 1, 1997, REVISION I DATED OCTOBER 3, 1997 AND RECORDED AT THE LEXINGTON COUNTY REGISTER OF DEEDS OFFICE IN PLAT BOOK 221 PAGE 9.
 5. I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEMA FLOOD INSURANCE RATE MAP NUMBER 45043AC 0002S EFFECTIVE DATE JULY 4, 2018 AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SUBJECT PROPERTY IS LOCATED IN UNSHADDED ZONE "X", NOT A DESIGNATED FLOOD ZONE.
 6. ZONING: RESTRICTIVE DEVELOPMENT (RD)
 7. BUILDING SETBACKS:
 FRONT -- 30'
 SIDES -- 10'
 REAR -- 20'
 8. NO WETLANDS DELINEATION PROVIDED.
 9. ALL PROPERTY CORNERS ARE NEW #5 REBAR UNLESS SHOWN OTHERWISE.
 10. THE INFORMATION SHOWN ON THIS SHEET WAS DERIVED FROM A FIELD RUN SURVEY. OBVIOUS AND APPARENT FEATURES ENCOUNTERED ARE INCLUDED ON THIS SHEET. RELATED, REFERENCED INFORMATION WAS ALSO USED, UNLESS STATED OTHERWISE. NO TITLE SEARCH WAS PERFORMED BY CNE ENGINEERING OF COLUMBIA, AND SOME EASEMENTS OR OTHER MATTERS OF RECORD MAY NOT APPEAR. THIS SHEET WAS PREPARED FOR A SPECIFIC CLIENT TO BE USED FOR A SPECIFIC PURPOSE. USE BY ANY OTHER PARTY, WITHOUT WRITTEN CONSENT, IS UNAUTHORIZED.

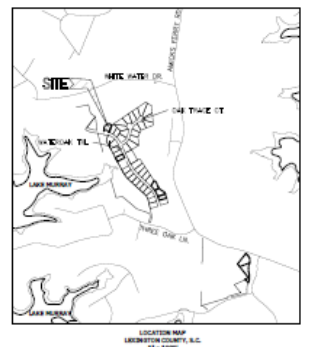
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND THAT I AM A LICENSED SURVEYOR FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

CLAYTON H. WALSH P.L.L.C. # 18178



LOTLINE CURVE DATA:

CH	ST	BEARING	CHORD	ANG	LC	DELTA	TANGENT
1	1	S57°07'42"E	212.92	172°19'	8.01	8.46	
2	1	S78°07'04"E	50.84	128°40'47"	82.27	134.52	



N/F TIMBERLAKE COUNTRY CLUB, INC.
 TMS# 001525-05-002
 PB 2219-9
 REMAINING ACRES: 22.31

LOT 33
 TIMBERLAKE PLANTATION
 FAIRWAY OAKS SUBDIVISION
 N/F GIBNEY, KIRK C & LISAN H
 TMS# 001529-05-033
 PB 970-1246
 14635 SQ. FT.

N/F TIMBERLAKE COUNTRY CLUB, INC.
 TMS# 001525-05-002
 PB 2219-9

**PHASE 1C
 FAIRWAY OAKS SUBDIVISION
 LEXINGTON COUNTY, SOUTH CAROLINA**



PROFESSIONAL SEAL
 CLAYTON H. WALSH
 LICENSED SURVEYOR
 SOUTH CAROLINA
 21291

CIVIL ENGINEERING OF COLUMBIA
 3704 FISHBURN BLVD. COL. HUNTSVILLE, SC 29020
 TEL: (803) 793-2300 FAX: (803) 796-2826

SUBDIVISION PLAT
 REVIEWED BY: P. FLOWERS
 DESIGNED BY: N/A
 DRAWING NUMBER: 21291

SCALE: 1" = 20'
DATE: TBD
DESIGNED BY: N/A
DRAWING NUMBER: 1 OF 1

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LEXINGTON COUNTY
ADMINISTRATION BUILDING

6:00 P.M.

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